THE HONOURABLE SRI JUSTICE GODA RAGHURAM

W.P.NO.16022 OF 2006

DATED: 01-08-2006

Between:

P.Fathepuria

… Petitioner

And:

Sr.Regional Manager(Retail) and Duly constituted attorney, Secunderabad and another.

… Respondents

THE HONOURABLE SRI JUSTICE GODA RAGHURAM

W.P.NO.16022 OF 2006

O R D E R:

The writ petition is misconceived as it is directed against the show-cause notice dated.12-07-2006 purportedly served on the petitioner on 18-07-2006 calling upon the petitioner to show cause why appropriate action, including for termination of dealership agreement dated.05-09-1984, be not initiated against the petitioner as provided under clause Nos.16,42,55(A) and 55(K) of the Dealership Agreement, within seven(7) days from the date of receipt of a copy of the show-cause notice.

The show-cause notice mentions the missing of a Totalizer Seal of one of the ULP Pump of the MPD unit (Wayne 18056), as the basis for initiation of proceedings including the impugned show cause notice. The petitioner states to have submitted its explanation to the

show-cause notice on 21-07-2006. It is not contended that the authority, who issued the show-cause notice, is not the competent authority to initiate the proceedings. It is not also contended that the show-cause notice is *mala fide*. What is contended is that in the inspection of the stock of the petitioner on 13-06-2006 no adulteration of the commodity has been recorded. These are matters to be considered as and when an eventual action is taken against the petitioner pursuant to the impugned show-cause notice and after considering the explanation of the petitioner dated.21-07-2006.

It is not the province of this Court to speculate in advance as to what action would be taken by the respondents nor is there any material to assume inherent, irrational or insanity of administrative action by the respondents.

No case is made out for interdicting a mere show-cause notice. There are no merits. The writ petition is accordingly dismissed. No order as to costs.

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GODA RAGHURAM,J

1ST AUGUST 2006
***TSNR**